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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

Report of the Secretary-General

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Introduction

1. By its resolution 1991/28 of 5 March 1991, the Commission on Human Rights, bearing in mind that intergovernmental arrangements for the promotion and protection of human rights had been established in other regions, and recognizing the valuable contribution that could be made by national institutions in the field of human rights to the concept of regional arrangements, requested the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific. The Commission also encouraged once again United Nations development agencies in the Asian and Pacific region to coordinate with the Economic and Social Commission for Asia and the Pacific in their efforts to promote the human rights dimension in their activities, and requested the Secretary-General to consult the countries of the Asian and Pacific region on the widest possible basis in the implementation of the resolution. The Commission also requested the Secretary-General to submit to the Commission at its forty-eighth session a further report incorporating information on the progress achieved in the implementation of resolution 1991/28. The present report is submitted in response to that request.

I. COOPERATION WITH THE ECONOMIC AND SOCIAL COMMISSION FOR ASIA AND THE PACIFIC

2. In a letter of 25 April 1991 addressed to the Executive Secretary of the Economic and Social Commission for Asia and the Pacific (ESCAP), the Centre for Human Rights drew his attention to Commission on Human Rights resolution 1991/28 entitled "Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region" and requested him to inform the Centre as to what kind of library materials ESCAP might wish to receive from the Centre for Human Rights.

3. Taking into account the request of the Commission on Human Rights to the Secretary-General regarding a continuing flow of human rights materials to the library of ESCAP, the Centre for Human Rights added ESCAP to its mailing list and will systematically send information and appropriate reference materials produced by the Centre.

II. INFORMATION RECEIVED FROM UNITED NATIONS DEVELOPMENT AGENCIES IN THE ASIAN AND PACIFIC REGION 1/

4. In a letter dated 25 April 1991, the Centre for Human Rights informed the United Nations development agencies in the Asian and Pacific region about the relevant paragraphs of Commission resolution 1991/28 and requested them to forward any suggestions for activities that they might wish to make. As of 25 November 1991, replies have been received from the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO) and the World Food Council.

A. Food and Agriculture Organization of the United Nations

5. In a letter dated 2 September 1991, FAO informed the Centre that it had taken note of the resolution and drawn them to the attention of its Regional Office for Asia and the Pacific (RAPA) which might be best placed to cooperate with the Economic and Social Commission for Asia and the Pacific (ESCAP) in their efforts to promote the human rights dimension in their activities. The areas that might benefit from coordination with ESCAP were: women's rights, in particular concerning land tenure; access to land by the rural poor; rural workers' participation in the design and implementation of rural development programmes; prevention of micro-nutrient deficiency and public nutrition education; access to productive resources by the poor and increasing employment opportunities for the poor.

6. FAO also informed the Centre that a plan of action on people's participation, being prepared by the Organization, would be submitted to the FAO Conference in November 1991 for consideration and adoption.

B. United Nations Development Programme

7. In a letter dated 9 September 1991, UNDP informed the Centre that, through its Regional Bureau for Asia and the Pacific, it was consulting ESCAP on coordination arrangements between United Nations development agencies in their efforts to promote the human rights dimension in their activities in the Asian and Pacific region.

C. United Nations Educational, Scientific and Cultural Organization

8. In a letter dated 15 October 1991, the UNESCO Regional Unit for Social and Human Sciences in Asia and the Pacific (RUSHSAP) informed the Centre that it collaborated with the relevant divisions of ESCAP in the implementation of the activities decentralized from UNESCO headquarters.

9. As far as human rights were concerned, the main activity of RUSHSAP was the publication of the "International Law Newsletter" twice a year. Copies of that newsletter (1,000 per issue) were widely distributed in the region; ESCAP was also on the mailing list.

10. In addition, RUSHSAP provided support to LAWASIA, a regional association of legal experts devoted to the promotion of human rights. In the present biennium, a grant of US$ 3,000 had been provided to LAWASIA activities.

11. Support had been provided to Viet Nam for its efforts to set up a human rights documentation centre in Hanoi (US$ 2,500).

12. A series of public lectures on human rights in the Bengali language had been sponsored at Dhaka University in Bangladesh, which had been attended by university students, lecturers, and interested members of the public. A grant of US$ 3,000 had been given for the purpose.

13. Thailand had requested a grant of US$ 1,500 to support a national campaign on human rights. The grant had been provided.

14. A contract established with the University of the South Pacific to develop training materials on women's rights (US$ 2,000) had had to be cancelled after more than a year as no progress was reported. Recently, another contract had been given to SNDT Women's University in Bombay, India, to organize a series of lectures to increase awareness among women about "equality before the law".

15. Two studies had also been commissioned in the Republic of Korea and India on violence against women (US$ 8,000).

16. Work on migrant women workers in the metropolises of New Delhi, Bangkok, Manila and Beijing was being carried out (US$ 16,000).

17. In addition, the Regional Adviser had represented UNESCO at the Third World Congress on Human Rights, held at New Delhi in December 1990. The Regional Adviser had also led a discussion at a national seminar on children's and girls' rights, held at New Delhi simultaneously with the World Congress.

18. At the annual ESCAP session, the UNESCO delegation reported on its relevant activities.

19. In the UNESCO delegation's report on its participation in the ESCAP Commission session, a reference has been made to the ESCAP proposal to set up a documentation centre for human rights. As far back as 1978, UNESCO had carried out a feasibility study on setting up such a centre in Asia. The consultant hired by the Human Rights Division must have submitted its report to the Division. RUSHSAP was not aware of any follow-up action on the matter. Its view was that rather than creating a separate regional centre, existing centres should be strengthened. In that regard, a suggestion had been made to support the Sri Lankan Foundation, which had set up a centre.

20. Using APINESS (Asia-Pacific Information Network in Social Sciences) of which the ESCAP library was also a member, further possibilities must be explored.

D. World Food Council 2/

21. In a letter dated 20 September 1991, the World Food Council informed the Centre that, in accordance with its mandate, it monitored and coordinated the activities of agencies of the United Nations system that related to problems affecting the world food and hunger situation. In that context, the Council of course worked closely with ESCAP, as with other regional commissions. It was satisfying, therefore, that the resolution in question called on United Nations development agencies in the Asian and Pacific region to coordinate with the Economic and Social Commission for Asia and the Pacific in their efforts to promote the human rights dimension in their activities. In the belief that food was the most fundamental of human rights, the Council had, since its inception, argued the principle of equality of access to food. The 1986 Declaration on the Right to Development, which incorporated that principle, was of prime relevance to agency efforts to ensure that a concern for human rights was built into their policies and programmes.

22. The Council had a fundamental interest in following developments as a result of those resolutions, and assured the Centre of its fullest support of them.

III. CONSULTATION WITH THE COUNTRIES OF THE ASIAN AND PACIFIC REGION

A. Views of States of the Asian and Pacific region and the United Nations on the implementation of Commission on Human Rights resolution 1991/28

23. In a note verbale dated 25 April 1991, the Centre for Human Rights drew the attention of Governments to the relevant paragraphs of Commission resolution 1991/28 and requested them to forward their views on the implementation of the resolution. As of 25 November 1991, a reply has been received from Brunei Darussalam.

Brunei Darussalam

24. In its reply, dated 9 October 1991, the Government of Brunei Darussalam expressed the view that human rights in the Asian and Pacific region should not be assessed or treated on the basis of Western models.

25. On the programme recommended by the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region for the development of teaching, seminars, training and education in the field of human rights for the Asian and Pacific region, Brunei Darussalam takes the position that it should be left to each individual country to decide on it. This is mainly because countries in the Asian region, in particular, look at human rights in the context of their own traditions, culture, level of economic and social development and religion.

26. Concerning the recommendation for research and study, Brunei Darussalam considers that they should take into account the system of government, culture and traditions of countries in the region. Brunei Darussalam also considers that Western-style models on human rights could not fit into the Asian and Pacific region.

B. Contacts between the countries of the Asian and Pacific region and the United Nations

27. The United Nations, through its Centre for Human Rights, has pursued and strengthened its contacts and cooperation in the field of human rights with the countries of the Asian and Pacific region. This cooperation has developed through activities carried out under the United Nations programme of advisory services and technical assistance.

1. Technical assistance to Mongolia

28. A programme of cooperation began in November 1990 to assist the Mongolian authorities in the democratization process. The programme entails technical and other assistance in establishing a human rights documentation and library unit for the Mongolian Parliament, the provision of human rights training for

government officials and various government and non-governmental organizations concerned with human rights matters, as well as publishing the compilation of human rights instruments translated into the Mongolian language. In addition, a United Nations mission, composed of two experts and two staff members from the Centre for Human Rights, was carried out in Ulaanbaatar during the month of June 1991 to provide advice on including relevant human rights clauses in the drafting of the new constitution.

2. Training courses and workshop

(a) Workshop on Human Rights, Jakarta, 21-22 January 1991

29. The Workshop on Human Rights was organized by the Department of Foreign Affairs of Indonesia, in cooperation with the United Nations Centre for Human Rights, in Jakarta from 21 to 22 January 1991.

30. Besides officials of the Department of Foreign Affairs of Indonesia, the participants included officials from the Ministry of Defence and Security, the Ministry of Home Affairs, the Ministry of Justice, the Attorney-General's Office, the Armed Forces Strategic Intelligence Agency, the National Intelligence Coordinating Agency, the National Police, and the State Secretariat. They also included Members of Parliament, representatives of non-governmental organizations and religious sectors, university professors and journalists.

31. The Workshop was chaired by Mr. Wiryono Sastrohandoyo, Director-General of Political Affairs of the Ministry of Foreign Affairs. Mrs. P. Quisumbing, Chairman of the forty-sixth session of the Commission on Human Rights, made several statements. She referred to human rights issues in the Asian context.

32. The Workshop reviewed the development of human rights issues in the United Nations system; international monitoring and implementation procedures in the field of human rights; the important role of a national institution for human rights in promoting national infrastructure for better protection and promotion of human rights; and a plan of action for the establishment of a national institution for human rights and for awareness building.

(b) National training course on international human rights standards and national legislation, Ulaanbaatar, 28 October-1 November 1991

33. A training course on international human rights standards and national legislation was organized from 28 October to 1 November 1991 at Ulaanbaatar by the Centre for Human Rights, in cooperation with the Ministry of Foreign Relations of Mongolia. Over 100 persons participated in the course, which was intended for key officials from the Ministries of Justice, Labour, the Interior and Foreign Relations, representatives of local authorities of the various provinces of Mongolia, parliamentarians, police officials and legal practitioners including representatives of the Office of the Procurator General, the Supreme Court and the Bar Association, as well as representatives of several human rights organizations. The main objective of the course was to provide a better knowledge and understanding of international human rights standards and the existing implementation machinery.

34. The opening session was addressed by Mr. Tumin, Senior Advisor to the President of the People's Republic of Mongolia, and by the Officer-in-Charge of the Advisory Services, Technical Assistance and Information Branch of the Centre for Human Rights, on behalf of the Under-Secretary-General for Human Rights. Guest speakers included Mr. K. Vasak, Former Director of the Division of Human Rights and Peace of UNESCO, Mr. D. Weissbrodt, Professor of Law at the University of Minnesota, United States, Mr. K. Kumado, Professor of Law at the University of Ghana, Mr. W. Chapman, Assistant Secretary in Charge of the Promotion of Human Rights at the Human Rights and Equal Opportunity Commission (Australia), and Mr. A. Simpson, Executive Director of the Centre for International Environmental Law, Australasia-Pacific Region (Australia).

Notes

1/ The texts of these replies are available for consultation in the secretariat files.

2/ The conclusions and recommendations of the seventeenth ministerial session, held at Helsingør, Denmark from 5 to 8 June 1991, are available for consultation in the secretariat files.